



## UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 20 2002

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/008,978	12/07/2001	Chad A. Mirkin	00-1272-C

CONFIRMATION NO. 5877

## FORMALITIES LETTER



\*OC000000007330259\*

John J. McDonnell  
 McDonnell Boehnen Hulbert & Berghoff  
 32nd Floor  
 300 S. Wacker Drive  
 Chicago, IL 60606

Date Mailed: 01/18/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/24/2002 MBERHE 00000032 132490 10008978

FILED UNDER 37 CFR 1.53(b)

01 FC:201 370.00 CH  
 02 FC:205 65.00 CH  
 03 FC:203 171.00 CH  
 04 FC:204 140.00 CH

Filing Date Granted

07/02/2002 Y6IZAW 00000004 132490 10008978

01 FC:203 18.00 CH

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$45640.
  - \$34020 for 1890 total claims over 20.
  - \$11340 for 135 independent claims over 3.
  - \$280 for multiple dependent claim surcharge.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 46510.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and

a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05-21-02

RECEIPT  
For return



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 00-1272-C)

In re Application of:

Mirkin, et al.

Serial No.: 10/008,978

Filed: December 7, 2001

For: Nanoparticles Having Oligonucleotides  
Attached Thereto and Uses Therefor

Group Art Unit: 1645

Examiner: Not Assigned

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

Dear Sir:

1. Attached is a copy of the official filing receipt received from the PTO in the above-referenced application for which issuance of a corrected filing receipt is respectfully requested.
2. There is an error with respect to the following data, which is incorrectly entered.

Error In:

Domestic priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/927,777 08/10/2001  
AND A CIP OF 09/820,279 03/28/2001  
AND A CIP OF 09/760,500 01/12/2001  
AND A CIP OF 09/603,830 06/26/2000  
AND A CIP OF 09/344,667 06/25/1999  
AND A CIP OF 09/240,755 01/29/1999 ABN  
AND A CIP OF PCT/US97/12783 07/21/1997  
WHICH CLAIMS BENEFIT OF 60/031,809 07/29/1996  
AND CLAIMS BENEFIT OF 60/176,409 01/13/2000  
AND CLAIMS BENEFIT OF 60/192,699 03/28/2000  
AND CLAIMS BENEFIT OF 60/200,161 04/26/2000  
AND CLAIMS BENEFIT OF 60/231,906 06/26/2000  
AND CLAIMS BENEFIT OF 60/244,631 10/30/2000  
AND CLAIMS BENEFIT OF 60/254,392 12/08/2000

AND CLAIMS BENEFIT OF 60/254,418 12/08/2000  
AND CLAIMS BENEFIT OF 60/255,235 12/11/2000  
AND CLAIMS BENEFIT OF 60/255,236 12/11/2000  
AND CLAIMS BENEFIT OF 60/282,640 04/09/2001

**Correct Data:**

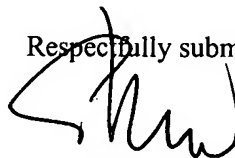
Domestic priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/927,777 08/10/2001  
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AND A CIP OF 09/760,500 01/12/2001  
AND A CIP OF 09/603,830 06/26/2000  
AND A CIP OF 09/344,667 06/25/1999 **PAT 6,361,944**  
AND A CIP OF 09/240,755 01/29/1999 ABN  
AND A CIP OF PCT/US97/12783 07/21/1997  
WHICH CLAIMS BENEFIT OF 60/031,809 07/29/1996  
AND CLAIMS BENEFIT OF 60/176,409 01/13/2000  
AND CLAIMS BENEFIT OF 60/192,699 03/28/2000  
AND CLAIMS BENEFIT OF 60/200,161 04/26/2000  
AND CLAIMS BENEFIT OF 60/231,906 06/26/2000  
AND CLAIMS BENEFIT OF **60/224,631 08/11/2000**  
AND CLAIMS BENEFIT OF 60/254,392 12/08/2000  
AND CLAIMS BENEFIT OF 60/254,418 12/08/2000  
AND CLAIMS BENEFIT OF 60/255,235 12/11/2000  
AND CLAIMS BENEFIT OF 60/255,236 12/11/2000  
AND CLAIMS BENEFIT OF 60/282,640 04/09/2001

3. In addition, please add Gang Lu as a co-inventor.

Date: May 30, 2002

Respectfully submitted,



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Emily Miao  
Registration No. 35,285



## UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 20 2002

7C48

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	CLASS UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/008,978	12/07/2001	1645	0.00	00-1272-C	71	626	138

CONFIRMATION NO. 5877

## FILING RECEIPT



\*OC00000007330258\*

John J. McDonnell  
 McDonnell Boehnen Hulbert & Berghoff  
 32nd Floor  
 300 S. Wacker Drive  
 Chicago, IL 60606

Date Mailed: 01/18/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Chad A. Mirkin, Wilmette, IL;  
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 Zhi Li, Evanston, IL;  
 So-Jung Park, Evanston, IL;

DOCKETED

JAN 22 2002

To: Doc = 3/17/02

DUE DATE: Foreign Filing Due 12/17/02

BY: KB LB

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/927,777 08/10/2001

AND A CIP OF 09/820,279 03/28/2001

AND A CIP OF 09/760,500 01/12/2001

AND A CIP OF 09/603,830 06/26/2000

AND A CIP OF 09/344,667 06/25/1999 PAT 6,361,944

AND A CIP OF 09/240,755 01/29/1999 ABN

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AND CLAIMS BENEFIT OF 60/255,235 12/11/2000

60/224,631 08/11/2000

AND CLAIMS BENEFIT OF 60/255,236 12/11/2000  
AND CLAIMS BENEFIT OF 60/282,640 04/09/2001

Foreign Applications

If Required, Foreign Filing License Granted 01/15/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Nanoparticles having oligonucleotides attached thereto and uses therefor

Preliminary Class

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy

order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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